



Rocky Flats Citizens Advisory Board
Meeting Minutes
September 6, 2001
6 to 9:30 p.m.

Jefferson County Airport Terminal Building,
11755 Airport Way, Broomfield

FACILITATOR: Reed Hodgins

Victor Holm, the Board's vice-chair, called the meeting to order at 6:05 p.m.

BOARD / EX-OFFICIO MEMBERS PRESENT: Jeff Allen, Suzanne Allen, Robin Byrnes, Joe Downey, Jeff Eggleston, Maureen Eldredge, Tom Gallegos, Victor Holm, Jim Kinsinger, Bill Kossack, Tom Marshall, LeRoy Moore, Nancy Peters / Steve Gunderson, John Rampe, Tim Rehder

BOARD / EX-OFFICIO MEMBERS ABSENT: Jerry DePoorter, Shirley Garcia, Mary Mattson, Earl Sorrels / Jeremy Karpatkin

PUBLIC / OBSERVERS PRESENT: Regina Wicks (COPIRG); Cory Conrad (citizen); Mark Sattelberg (USFWS); John Corsi (K-H); Larry Bailey (DOE-RFFO); Alan Trenary (citizen); Anna Martinez (DOE-RFFO); Jerry Henderson (RFCAB staff); Ken Korkia (RFCAB staff); Noelle Stenger (RFCAB staff); Deb Thompson (RFCAB staff)

PUBLIC COMMENT PERIOD: No comments were received.

UPDATE on SSAB CHAIRS MEETING: In late August, Jerry DePoorter, Victor Holm, and Ken Korkia attended the semi-annual SSAB chairs meeting held this time in Los Alamos. Mr. Holm explained that most of the meeting was fashioned in a series of round-robin discussions. Attendees talked about such items as issues facing their respective boards, how to provide input to DOE's budget, the relationship of boards to their local DOE office, and how boards prepare their recommendations as well as the kind of response received from DOE. SSAB members present received a presentation from Gene Smith, Deputy Assistant Secretary for Budget and Planning, who works for Jessie Roberson at the Headquarters office. His department sets the budgets for environmental remediation. Mr. Smith was not positive about the future of the budget for each site, but did offer reassurances about Fernald and Rocky Flats since both are closure sites. However, other sites in the complex are facing difficult times with their budgets. Mr. Smith mentioned that a top-down review of DOE in the area of cleanup and budget is planned for the future; however, not much detail exists about this review. Finally, Rocky Flats CAB members met over lunch with Savannah River Site SSAB members to discuss issues regarding the transport of plutonium. Mr. Holm stated that this is not a case of "not in my backyard" mentality, but rather an issue of concern about promises previously made by DOE that may no longer be kept. In addition, the South Carolina governor wants an assurance of continued jobs at the Savannah River Site.

Ken Korkia mentioned that the Board would send delegates to the SSAB Conference on Groundwater to be held at the Savannah River Site in early November. Board members who are

interested were asked to contact Ken as soon as possible so that registration and travel arrangements can be made. The following Board members have expressed an interest in attending the conference: Jerry DePoorter, Joe Downey, Bill Kossack, LeRoy Moore, and Nancy Peters.

REGULATOR UPDATE (EPA): Tim Rehder with EPA presented his quarterly report on Rocky Flats:

- o **Land Configuration Design Basis:** EPA started a review of this document, which provides a discussion of what the site will look like physically at the end of the closure project. This effort will help to answer questions such as: 1) How will the Industrial Area be contoured? 2) Will the detention ponds remain? 3) Will caps be used, and if so, what will they look like? The process is likely to take a couple of years.
- o **Wetlands Bank:** In 1996, DOE, EPA, the U.S. Corps of Engineers and the U.S. Fish and Wildlife Service made an agreement to create a wetlands bank for the mitigation of wetlands at Rocky Flats that may be destroyed during cleanup. In 1997, DOE began construction of the wetland located on the west side of Standley Lake, about eight acres. EPA recently toured the site and found it to be a good habitat, although there is an invasive weed problem in the area.
- o **Buffer Zone Sampling and Analysis Plan:** This document was just received and is currently under review by EPA. The plan provides a strategy for selecting samples both in areas not categorized and in sampling procedures and numbers. EPA is also preparing its own plan for supplemental sampling in the Buffer Zone.
- o **NREL Experimental Wind Farm:** EPA was contacted by NREL about getting the Superfund Designation removed from this facility. The assumption has always been that this area is clean. NREL commissioned some sampling work that indicates contamination is not a concern at the facility. EPA is evaluating that data, and may ask for plutonium-specific sampling to be performed before removing the area from Superfund Designation.

RFCAB 2002 WORK PLAN TOPICS PRIORITIZATION: This is an annual exercise the Board undertakes to help prioritize topics that it would like to see included in its work plan. First, evaluations are sent out to the public, regulators, DOE, and Board members to look at the Board's operations and to suggest and submit ideas for the next year's work plan. The topics gleaned from the evaluation process are then listed and at this meeting, Board members, regulators present, staff members, and the public were all asked to vote on the candidate issues. Each person is given five colored dots in order to vote for the issues they feel are most important for the Board to address over the coming year. The five votes can be used however they want, ranging from spreading their votes out equally between five issues or to assign all five votes to one topic. Following is the ranking based on voting at the Board meeting:

26 votes	Rocky Flats End-State Discussions	12 Board, 7 staff, 6 regulator, 1 public
24 votes	Soil and Water Cleanup Standards	15 Board, 5 staff, 2 regulator, 2 public

20 votes	Environmental Restoration Projects (Old Landfill, 903 Pad)	9 Board, 6 staff, 4 regulator, 1 public
20 votes	Long-Term Stewardship	10 Board, 4 staff, 3 regulator, 3 public
9 votes	1) Kaiser-Hill Contract Performance Monitoring; and 2) Budget/Planning	8 Board, 1 public
9 votes	D&D of Buildings and Facilities	6 Board, 2 regulator, 1 public
5 votes	Natural Resource Management Issues (controlled burns, ecological values, wildlife and plants)	4 Board, 1 staff
3 votes	Rocky Flats Site Studies (Actinide Migration, Site Water Balance, Land Configuration, Erosion Model)	2 Board, 1 regulator
3 votes	General Public Safety (emergency preparedness, daily real-time monitoring system development, air/water safety)	2 Board, 1 public
3 votes	New Science	2 public, 1 Board
3 votes	Citizen Participation	2 public, 1 staff
2 votes	Monitoring of On-Site Worker Safety Performance	1 Board, 1 regulator
1 vote	Nuclear Materials (stabilization, packaging, shipping)	1 Board
1 vote	Strategies to Minimize Future Risk	1 staff
1 vote	Updates on New Regulations	1 public
0 votes	Waste Packaging and Shipping	0

Based on the input received at this meeting, staff will prepare for the Board's review a working draft of the 2002 Work Plan. The final work plan will be developed during the Board's retreat on September 15, then submitted for approval in October. During this section of the meeting, the Board also reviewed and subsequently approved the agenda for its September 15 retreat.

PUBLIC COMMENT PERIOD:

Comment: Regina Wicks, COPIRG: Is there any discussion in this group about the proposed beltway?

Response: The Board is chartered by DOE as an environmental management advisory group. Its major function is to advise DOE on environmental cleanup. The Board does not normally advise DOE on worker issues or development issues. However, this is a topic being discussed by the Rocky Flats Coalition of Local Governments.

Comment: Mary Mattson, RFCAB: Board member Mary Mattson was unable to attend the meeting, but asked that a statement regarding her position on ALARA be read. Following are her comments: "What we need is cleanup to background to be safe. This is not feasible, so we need the best cleanup we can get for the money and technology we have today. We need to have a stipulation in the stewardship agreement that in say 50 years (probably more than enough time for technology changes), the state of the site is revisited and if possible a further cleanup is instituted. For now let's just be honest. The cancer curve is a best educated guess of what is safe and not a hard and fast number that can be measured like the force of gravity. We add to this the guess of exposure pathways, which significantly increases the uncertainty. This is not hard science; this is the government trying to find a way to placate the people. If DOE cleans up to the best that they can with current limitations, and shows that this is as low or lower than their best educated guess for safety (i.e. the rancher scenario), I could accept this as honest. This is ALARA.

RSAL DISCUSSION 4: This month the Board held the fourth in a series of discussion on RSALs. The topics for this meeting were scenarios and the ALARA principle. The first discussion, on scenarios, was primarily a roundtable discussion with the ex-officio representatives from DOE, EPA, and CDPHE. Following are summaries of some of the questions, comments, and responses generated during this discussion:

- o Question: What timeframe are these scenarios are expected to last? Response: Neither regulation nor statute puts out a timeframe for scenarios. We have only stated this as in the foreseeable future.
- o Question: Was there a timeframe in 1996? Response: No, but the draft regulation had a timeframe for calculating the maximum dose.
- o Question: How can you do stewardship and incorporate that into discussions if you are unable to project a scenario timeline? Response: Under CERCLA, there is a requirement for a five-year review to look at remedies and determine if they are still valid. Those five-year reviews continue indefinitely as long as there is any residual contamination at the site.
- o Question: Regarding times in the rural resident scenario, questions remain about the times that were used, such as the number of days and the number of hours per day. Response: Days means 24-hour days, a minimum of 175 days, middle range is 234 days, and a maximum of 350 days. The assumption is out of 365 days, the 95% percentile would be an individual who is on the property 318 days per year, 24 hours a day.
- o Question: What about food consumption? Response: The assumption is a large amount of the produce comes from a home garden at the site. Comment: The rural resident scenario looks more like a suburban resident rather than a rural resident. Response: It is a hybrid of those two scenarios.
- o Question: Regarding five-year reviews: who is doing the review and who reviews the reviewers? Response: If DOE maintained custody of the property, DOE would do the review and EPA would approve it. If USFWS took over the site, some agreement would be worked out with DOE, such as to contract out the work.

- o Comment: You are not planning a free release cleanup, so the question of timelines for scenarios and cleanup is important, and would impact your analysis. Response: Superfund guidance is based on anticipated land use. In the Rocky Flats Cleanup Agreement, the prevailing assumption is that Rocky Flats remains as open space. The wildlife refuge bill creates a unique form of open space. We also looked at an open space user, as there will be recreational users regardless of what type of open space it becomes. We don't anticipate an office complex, but when RFCA was signed it was a consideration. We also considered options for what may happen if institutional controls no longer exist. We have to make this technically and regulatorily defensible. An assumption of 100 years is probably reasonable. It would be difficult to assume something 1,000 years or more in the future. We need flexibility to have community choices that can be made 50 years or more into the future. However, a wildlife refuge creates a very strong institutional control.

Next, John Rampe with DOE gave a presentation on the application of the ALARA (As Low As Reasonably Achievable) process during cleanup of Rocky Flats. There are three regulatory definitions of ALARA, under DOE orders, through the Code of Federal Regulations (CFR), and in the Colorado Code of Regulations (CCR). In the ALARA process, you must consider social, technical, economic, practical, public policy, and public health and safety. ALARA is built into remedy selection at several tiers. The site also incorporates ALARA into the remedy selection process such as CERCLA criteria and the ER RSOP. The implementation of ALARA is intended to be applied to field surveys and laboratory analysis. ALARA becomes particularly relevant when dealing with contamination that will not trigger an action or a removal but when there is still a benefit to performing remediation, or if an action is triggered and there may be a benefit to performing more extensive remediation. An ALARA analysis might be applied if the nature or location of an area of concern shows that a benefit may justify the cost of remediation, or if an action is required but there may be a health benefit for a more extensive action. The ALARA process may include a quantitative analysis such as cost benefits, but more importantly includes a qualitative analysis to show the basis for an action and a more detailed analysis. A top down approach is used when an action is triggered and includes evaluating effectiveness and implementability, cost, evaluating state and community acceptance, and then comparing those subjective factors with the risk/dose RSAL table to see if there are additional indicators of benefit relative to other factors. A bottom-up approach is used when an action is not triggered, and includes source evaluation, background comparisons, screening, and a baseline risk assessment. The ALARA process is applied to determine if additional cleanup is warranted, and to determine if remedial action is warranted even though contaminants do not exceed action levels.

Following some comments and questions, the Board discussed next steps for the RSAL discussion. First, many Board members expressed the need for extensive dialogue to find out where everyone stands on the important issues. Significant time will be set aside at the October meeting for free-ranging discussion. Second, the ER Committee will discuss development of a recommendation on RSALs at its September meeting and may bring forward a proposal to distribute on CABlist. The goal is to have a recommendation for consideration by the time the RFCA principals hold their public meeting on RSALs. The prevailing sentiment was that this issue is far too important to leave the drafting of the recommendation to the minority who attend ER Committee meetings. Thus, the Board will try to develop a recommendation at the October meeting. If this cannot be achieved, the Board will determine whether to convene a special work session or finalize the recommendation via CABlist.

PERSONNEL COMMITTEE RECOMMENDATION: Based on a recommendation from the Personnel Committee, the Board approved hiring a staff person to replace a vacancy left by the resignation of Noelle Stenger, Program Coordinator. The new person hired is Michelle Kump, a

resident of Denver. Michelle is currently pursuing a Masters degree in Environmental Policy and Management at the University of Denver, with a completion date of early 2002. She also has a BS in Biology and Environmental Sciences. Michelle has worked with Edge Interactive, the National Ski Areas Association, and the Colorado Youth Program. She also served in the Peace Corps in Niger, West Africa, for three years. Michelle was hired at a starting salary of \$34,000 per year, effective September 10.

NEXT MEETING:

Date: October 4, 2001, 6 to 9:30 p.m.

Location: Jefferson County Airport Terminal Building, Mount Evans Room, 11755 Airport Way, Broomfield

Agenda: Update by DNFSB; 2002 work plan/budget approval; RSAL discussion 5

MEETING ADJOURNED AT 9:45 p.m. *

(* Taped transcript of full meeting is available in the RFCAB office.)

RESPECTFULLY SUBMITTED:

Jeffrey Eggleston, Secretary
Rocky Flats Citizens Advisory Board

The Rocky Flats Citizens Advisory Board is a community advisory group that reviews and provides recommendations on cleanup plans for Rocky Flats, a former nuclear weapons plant outside of Denver, Colorado.

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